

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 09/916648  
 Filing Date 07/30/2001  
 First Named Inventor Martin Birk et al.  
 Group Art Unit  
 Examiner Name  
 Attorney Docket Number 2000-0482

Total Number of Pages in this Submission

22

JAN 14 2002

## Enclosures (check all that apply)

- ☐ Fee Transmittal Form  
☐ Fee Attached  
☐ Amendment / Response  
☐ After Final  
☐ Affidavits / Declaration(s)  
☐ Extension of Time Request  
☐ Express Abandonment Request  
☐ Information Disclosure Statement  
☐ Certified Copy of Priority Document(s)  
☒ Response to Missing Parts under 37 CFR 1.52 or 1.53  
☐ Response to Missing Parts/Incomplete Application

- ☐ Assignment & Recordation Cover Sheet  
☒ Drawing(s) & Letter to Official Draftsman  
☐ Licensing-related Papers  
☐ Petition to the Commissioner  
☐ Petition to Convert a Provisional Application  
☐ Power of Attorney, Revocation Change of Correspondence Address  
☐ Terminal Disclaimer  
☐ Request for Refund

- ☐ After Allowance Communication to Group  
☐ Appeal Communications to Board of Appeals and Interferences  
☐ Appeal Communications to Group (Appeal Notice, Brief, Reply Brief)  
☐ Proprietary Information  
☐ Status Letter  
☒ Return Receipt Postcard  
☐ CD, Number of CDs  
☐ Additional enclosure(s) (please identify below)

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or ☒ Correspondence address below

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 ADDRESS AT&T CORP. P.O. Box 4110  
 CITY Middletown STATE New Jersey ZIP CODE 07748-4110  
 COUNTRY United States of America FAX 732-368-6932

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME Cedric G. DeLaCruz Reg. # 36498  
 TELEPHONE 908-221-5430  
 SIGNATURE *Cedric G. DeLaCruz* DATE 11-8-01

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage thereon as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: 11-8-01

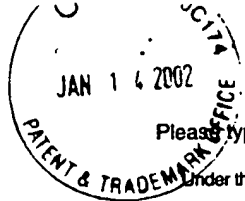
Type or Printed Name Nancy C. Marcovici

Signature *Nancy C. Marcovici*

Date

11-8-01

SEND TO: Commissioner for Patents, Washington, D.C. 20231



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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Applicati n Numb r	09/916,648	
	Filing Date	July 30, 2001	
	First Named Invent r	Birk et al.	
	Group Art Unit	TBA	
	Examiner Name	TBA	
Total Number of Pages in This Submission	20	Attorney Docket Number	03493.00130

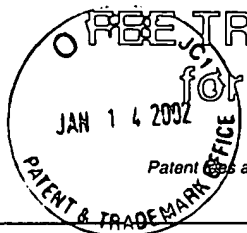
ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Response  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  <b>Declaration, Assignment and Recordation Form Cover Sheet</b>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Catherine A. Ferguson, Reg. No. 40,877
Signature	<i>Catherine A. Ferguson</i>
Date	September 24, 2001

CERTIFICATE OF MAILING			
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Signature		Date	

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

		<b>Complete if Known</b>	
Application Number		09/916,648	
Filing Date		July 30, 2001	
First Named Inventor		Birk et al.	
Examiner Name		TBA	
Group / Art Unit		TBA	
Attorney Docket No.		03493.00130	
TOTAL AMOUNT OF PAYMENT (\$)		1104	

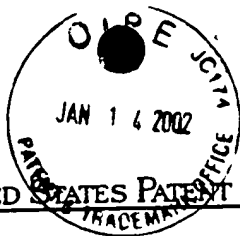
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METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)																																																																																																																																																		
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number: 19-0733</p> <p>Deposit Account Name: BANNER &amp; WITCOFF, LTD.</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p> <p>2. <input type="checkbox"/> Payment Enclosed:</p> <p><input type="checkbox"/> Check    <input type="checkbox"/> Credit card    <input type="checkbox"/> Money Order    <input type="checkbox"/> Other</p>		<p><b>3. ADDITIONAL FEES</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>130</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td></td></tr> <tr><td>116</td><td>390</td><td>216</td><td>195</td><td></td></tr> <tr><td>117</td><td>890</td><td>217</td><td>445</td><td></td></tr> <tr><td>118</td><td>1,390</td><td>218</td><td>695</td><td></td></tr> <tr><td>128</td><td>1,890</td><td>228</td><td>945</td><td></td></tr> <tr><td>119</td><td>310</td><td>219</td><td>155</td><td></td></tr> <tr><td>120</td><td>310</td><td>220</td><td>155</td><td></td></tr> <tr><td>121</td><td>270</td><td>221</td><td>135</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td></td></tr> <tr><td>141</td><td>1,240</td><td>241</td><td>620</td><td></td></tr> <tr><td>142</td><td>1,240</td><td>242</td><td>620</td><td></td></tr> <tr><td>143</td><td>440</td><td>243</td><td>220</td><td></td></tr> <tr><td>144</td><td>600</td><td>244</td><td>300</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td></td></tr> <tr><td>123</td><td>130</td><td>123</td><td>130</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>40.00</td></tr> <tr><td>146</td><td>710</td><td>246</td><td>355</td><td></td></tr> <tr><td>149</td><td>710</td><td>249</td><td>355</td><td></td></tr> <tr><td>179</td><td>710</td><td>279</td><td>355</td><td></td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900</td><td></td></tr> </tbody> </table> <p>Other fee (specify) _____</p> <p>*Reduced by Basic Filing Fee Paid</p>		Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	130	127	50	227	25		139	130	139	130		147	2,520	147	2,520		112	920*	112	920*		113	1,840*	113	1,840*		115	110	215	55		116	390	216	195		117	890	217	445		118	1,390	218	695		128	1,890	228	945		119	310	219	155		120	310	220	155		121	270	221	135		138	1,510	138	1,510		140	110	240	55		141	1,240	241	620		142	1,240	242	620		143	440	243	220		144	600	244	300		122	130	122	130		123	130	123	130		126	180	126	180		581	40	581	40	40.00	146	710	246	355		149	710	249	355		179	710	279	355		169	900	169	900	
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SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Catherine A. Ferguson	Registration No. Attorney/Agent	40,877
Signature	<i>Catherine A. Ferguson</i>	Telephone	202-508-9203
		Date	September 24, 2001

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WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/916,648	07/30/2001	AT&T PAT K.C. Reichmann	03493.00130

28317  
BANNER & WITCOFF LTD.,  
ATTORNEYS FOR AT & T CORP  
1001 G STREET, N.W.  
ELEVENTH STREET  
WASHINGTON, DC 20001-4597

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DIRECTLY MANAGED	
NOT DOCKETED	
SEP 26 2001	
PREVIOUSLY DOCKETED	
PREVIOUSLY ABANDONED	
FILED BY	

CONFIRMATION NO. 8483

FORMALITIES LETTER



Date Mailed: 09/10/2001

Due: 11/10/01

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$144.
  - \$144 for 8 total claims over 20.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 984. //

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because: //
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

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*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



CGD  
2000-0482

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☒ PATENT ☐ DESIGN B&W Ref. 03493.00130 Date 9/24/01  
☐ HAND CARRY Group/Section \_\_\_\_\_ Bldg \_\_\_\_\_ Rm \_\_\_\_\_  
Serial/Patent No. 09/916,648 Atty/Sec C. Ferguson/L. Johnson  
Inventor Birk et al. Client AT&T  
Title METHOD OF FLEXIBLE MULTIPLE BROADCAST SERVICE DELIVERY OVER A WDM  
PASSIVE OPTICAL NETWORK BASED ON RF BLOCK CONVERSION OF RF SERVICE BANDS  
WITHIN WDM SERVICE BANDS

With the following has been received AND the U.S. Patent and Trademark Office on the date stamped hereon:

<input type="checkbox"/> _____ total pp Spec., including : # of Claims (# of independent claims _____); <input type="checkbox"/> Abstract	<input type="checkbox"/> Sequence Listing : <input type="checkbox"/> Diskette <input type="checkbox"/> Paper
<input type="checkbox"/> Drawings : <input type="checkbox"/> Formal <input type="checkbox"/> Informal # of distinct sheets _____ : Figs. _____	<input type="checkbox"/> Amendment <input type="checkbox"/> Response : OA dtd _____
<input checked="" type="checkbox"/> Declaration/Power of Attorney : <input type="checkbox"/> Executed <input type="checkbox"/> Unexecuted	<input type="checkbox"/> Petition for Extension of Time until _____
<input checked="" type="checkbox"/> Assignment w/PTO Cover Sheet	<input type="checkbox"/> CPA <input type="checkbox"/> RCE <input type="checkbox"/> w/Ext of Time : OA dtd _____
<input type="checkbox"/> IDS w/PTO 1449 <input type="checkbox"/> References <input type="checkbox"/> w/Fee	<input type="checkbox"/> Request for Approval of Drawing Changes
<input type="checkbox"/> Preliminary Amendment	<input type="checkbox"/> Notice of Appeal & Fee
<input type="checkbox"/> Priority Claim (Foreign or U.S. Provisional. B&W # _____)	<input type="checkbox"/> Brief : <input type="checkbox"/> Appeal & Fee <input type="checkbox"/> Reply
	<input type="checkbox"/> Request for Oral Hearing
	<input type="checkbox"/> Issue Fee <input type="checkbox"/> Advance Patent Copies (# ordered _____)
	Notice of Allowance dtd _____
Country _____ Appl. # _____ Date _____	<input type="checkbox"/> Amendment under 37 CFR 1.312
<input type="checkbox"/> w/Foreign Priority Document(s)	<input type="checkbox"/> Request for Certificate of Correction
<input type="checkbox"/> Application : <input type="checkbox"/> CIP <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional	<input type="checkbox"/> Transmittal <input type="checkbox"/> Fee Transmittal w/Auth. to Charge Deposit Acct.
Parent Ser. No. _____ B&W# _____	<input type="checkbox"/> Certificate of Mailing
<input type="checkbox"/> U.S. Provisional _____ pp Spec/Claims; Cover Sheet	<input type="checkbox"/> Check # _____ for \$ _____
<input checked="" type="checkbox"/> Response to Missing Parts/Requirements dtd <u>9/10/01</u>	<input type="checkbox"/> _____
<input type="checkbox"/> Response to Notice to File Corrected Appln. Papers dtd _____	<input type="checkbox"/> _____
<input type="checkbox"/> Request for Expedited Foreign Filing License	<input type="checkbox"/> _____
<input type="checkbox"/> Request for Corrected : <input type="checkbox"/> Filing Receipt <input type="checkbox"/> Assignment	<input type="checkbox"/> _____
<input type="checkbox"/> Response to Restriction/Election Requirement	<input type="checkbox"/> _____

B&W Rev. 5/01

ATTORNEY  
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PREVIOUSLY ABANDONED  
FILED BY



IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

**Applicant(s):** Martin Birk et al.

**Attorney Docket No.:** 2000-0482

**Application No.:** 09/916648

**Filing Date:** 07/30/2001

**Examiner Name:**

**Group Art Unit:**

**Title:** Method of Flexible Multiple Broadcast Service Delivery Over a WDM Passive Optical Network Based on RF Block-Conversion of RF Service Bands Within Wavelength Bands

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RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION  
Filing Date Granted

Enclosed are the formal drawings (7 sheets) for the above-identified application. Please substitute these formal drawings for the informal drawings filed with the application.

Please note we responded on September 24, 2001 to the Notice to File Missing Parts with the an executed Declaration and with payment of all fees. A copy of these documents is enclosed. We are also enclosing a copy of the Notice to File Missing Parts.

Date: 11-2-01

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